

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JASON and CHRISTY DORMAN,

Plaintiffs,

vs.

RONALD CAFFEY, ET. AL.,

Defendants.

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Case No. 4:07CV1615SNL

MEMORANDUM AND ORDER

Pro se plaintiffs have filed a complaint consisting of a rambling narrative and accusations which appear to involve an alleged conspiracy involving the removal of trees and/or tree limbs from real property located in Alton, Illinois. Currently pending before the Court on defendant Caffey's motion to dismiss (#12), filed February 1, 2008; defendants Carl Stark and Carl Stark Tree Cutting & Co.'s motion to dismiss (#15), filed February 4, 2008; and defendants Madison County State's Attorney 's Office and Calvin Fuller's (Madison County Assistant State's Attorney) motion to dismiss (#18), filed February 13, 2008. On or about February 13, 2008 plaintiff's filed another rambling narrative purported to be a responsive pleading to the instant motions and entitled **Plaintiffs' More Precise Pleading & Statement of Claims** (#20).

The motions to dismiss for the most part all raise the same issues; i.e. that plaintiffs have failed to specify the legal basis for their complaint in that they have failed to specify which, if any constitutional rights, have been violated. All plaintiffs have done is cite to numerous United States Code sections but have failed to specify the particular constitutional rights allegedly violated by any act by any defendant. There is also a question of immunity for one or more

defendants. The rambling narrative(s) simply do not provide this Court or the defendants with any clear basis for subject matter jurisdiction.

However, the real concern of this Court is not with jurisdiction but rather venue. It appears that *assuming arguendo* federal jurisdiction would exist, venue is not proper with this Court. The plaintiffs assert that they are Missouri residents but fail to give an residential address in Missouri. Their complaint concerns residential real property they allegedly own in Alton, Illinois. On the face of the complaint, none of the defendants reside in the Eastern District of Missouri, none of the events giving rise to the plaintiffs' claim(s) occurred in the Eastern District of Missouri, and none of the defendants are subject to personal jurisdiction at the time of the commencement of this lawsuit in the Eastern District of Missouri. It appears to this Court that venue is not proper in the Eastern District of Missouri, but rather in the Southern District of Illinois. 28 U.S.C. §1391.

The Court is not going to dismiss the plaintiffs' complaint but instead, *sua sponte*, grant a transfer of venue to the Southern District of Illinois. The Court believes that the district courts of the Southern District of Illinois are better able to handle this matter given the location of the dispute and the parties allegedly involved.

Accordingly,

IT IS HEREBY ORDERED that this cause of action, including all pending motions, be and is **TRANSFERRED** to the **Southern District of Illinois** on a change of venue pursuant to 28 U.S.C. §1391.

Dated this 25th day of March, 2008.



SENIOR UNITED STATES DISTRICT JUDGE

